



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

Mitchell E. Daniels, Jr.
Governor

Thomas W. Easterly
Commissioner

100 North Senate Avenue
Indianapolis, Indiana 46204
(317) 232-8603
Toll Free (800) 451-6027
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November 18, 2008

VIA CERTIFIED MAIL 7007 1490 0000 0842 2529

Mr. Joe Sutton
Veolia ES Blackfoot Landfill, Inc.
3726 East State Road 64
Winslow, Indiana 47598

Re: Approval of Renewal of
Solid Waste Facility Permit FP 63-06
Blackfoot Resource Recovery Facility
Pike County

Dear Mr. Sutton:

The permit renewal application for Blackfoot Resource Recovery Facility as received on January 31, 2008, has been reviewed and certified as meeting the requirements of IC 13-15-1-3, 329 IAC 11-9-4, and 329 IAC 11-11-2. This decision is based on the permit renewal application dated January 25, 2008, a site visit on June 11, 2008, a response to a request for additional information dated July 22, 2008 and all subsequent amendments and addendums to the application. This permit renewal applies to the processing facility located 2.5 miles southeast of the town of Arthur in Pike County which contains approximately 26.5 acres. The permittee or operator shall operate this facility according to the terms and requirements of this permit renewal letter and enclosures and the applicable statutes and regulations in effect on the effective date of this renewal. This facility permit renewal will expire on November 1, 2013.

This permit renewal allows Veolia ES Blackfoot Landfill, Inc. to continue operating Blackfoot Resource Recovery Facility subject to the terms of this letter and the enclosed requirements. In accordance with 329 IAC 11-11-4, solid waste facility permit FP 63-06 does not authorize: any injury to any person or private property; the invasion of other private rights; the infringement of federal, state, or local laws or regulations; nor preempt any duty to comply with other state or local requirements.

In order to continue operation past this permit's expiration date, a renewal application in accordance with 329 IAC 11-9-4 must be submitted at least one hundred twenty (120) days prior to the expiration date of November 1, 2013.

Pursuant to IC 4-21.5, a Petition for Review of this permit renewal letter may be initiated by you, as applicant, or by an "aggrieved or adversely affected person." This permit renewal becomes effective once all applicable time periods for petitioning for Stays of Effectiveness have expired, unless you are notified in writing by an Environmental Law Judge that the permit renewal has been further stayed. As discussed in our enclosed Notice of Decision, if you wish to challenge this decision, you must file a Petition for Review with the Office of Environmental Adjudication within eighteen (18) days from the date that this permit renewal letter was mailed, pursuant to IC 4-21.5-3-7.

Mr. Sutton

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If you have any questions regarding this matter, please call (800) 451-6027, press 0 and ask for Kelly Hall, or ask for extension 3-0449 or call (317) 233-0449.

Sincerely,



Thomas Linson, Chief
Permits Branch
Office of Land Quality

Enclosure: Permit Requirements
Notice of Decision
Letter to The Press-Dispatch
Letter to the Pike County Public Library

cc: Pike County Health Department (with enclosure)
The Honorable Dale Nalley, President, Pike County Commissioners (with enclosure)
Pike County Solid Waste Management District (with enclosure)
IDEM Southwest Regional Office (with enclosure)

PERMIT REQUIREMENTS

- A. General Requirements**
- B. Operational Requirements**
- C. Closure/Post-Closure Requirements**

A. GENERAL REQUIREMENTS

- A1. The facility shall operate in accordance with the applicable requirements of 329 IAC 11.
- A2. The ground surface around the facility composting and processing areas shall be properly sloped, graded, and maintained to promote proper surface water run-off and to prevent ponding of water. The ground surface of the composting area, designated in the approved plans and specifications, shall be sloped, graded, and maintained to divert surface water run-off and/or leachate originating in these areas to their respective holding pond.
- A3. All sample results which are required to be submitted by this permit or which are specified in the application shall be accompanied by information sufficient to identify the sample date, location, sampling and analytical methods, and quality control procedures.
- A4. It is recommended that all required submittals be printed double-sided and sent via certified mail. An additional copy should also be submitted in Acrobat PDF format by CD, DVD, or other media acceptable to IDEM. All reports, notifications, ground water reports, and other information required to be submitted by this permit should be sent to:

**Ms. Kelly Hall
Indiana Department of Environmental Management
Office of Land Quality
Solid Waste Permits Section
100 North Senate Avenue
Indianapolis, Indiana 46204-2251**

- A5. The facility shall accept waste in accordance with 329 IAC 11-8-2, unless otherwise specified by this permit.
- A6. The following requirements apply to insignificant modifications at the facility:
 - a. The permittee may not be required to apply for a minor or a major modification of the current permit from IDEM if proposing one of the insignificant modifications described in 329 IAC 11-2-19.5.
 - b. If the permittee proposes or is required to make one of the insignificant modifications described at 329 IAC 11-2-19.5, the permittee shall follow the procedures for an insignificant modification described at 329 IAC 11-9-6.
- A7. The facility that receives industrial process waste as defined in 329 IAC 11-2-17, shall comply with the requirements of 327 IAC 15-6.
- A8. If any nuisance or pollution conditions are created at this facility, immediate corrective action shall be taken by the operator.
- A9. The permittee shall report to the Indiana Department of Environmental Management (IDEM) any event which may cause an imminent and substantial endangerment to human health or the environment. This information must be reported orally to IDEM within

twenty-four (24) hours from the time the permittee becomes aware of the event. The permittee shall also provide a written report to IDEM within five (5) days of the time of the event. The report shall include for each event: date and time, possible causes, actions taken or planned to correct, reduce, eliminate, and prevent recurrence of the event.

B. OPERATIONAL REQUIREMENTS

- B1. The facility shall comply with applicable requirements of 329 IAC 11-13 and this letter. Only 40 CFR Part 503 Class A wastewater treatment plant sludges, fly ash, and kiln dust shall be accepted and processed at the facility. The facility may also accept wood chips, yard wastes, lime, source separated waste paper and cardboard for use as bulking agents in the composting process. No hazardous waste, as regulated by 329 IAC 3.1, shall be accepted at this facility.

All products destined for land application shall have proper approvals from IDEM's Land Application Group, prior to removal from the facility. Disposal of products, which contain fly ash and kiln dust, shall meet the requirements of 329 IAC 10. Any products, which contain sludge or other waste products not obtaining the proper approvals, shall be disposed of at a landfill properly permitted to receive such wastes.

- B2. The facility can accept and compost uncontaminated vegetative matter in accordance with IC 13-20-10 and "Guidelines; Facilities Processing/Composting Source Segregated Wastes" (copy enclosed).
- B3. The following conditions apply to the sampling and analyses of wastewater treatment plant (WWTP) sludges, fly ash, and kiln dust during operation of the facility:
- (a) A representative sample of each source of WWTP sludge, fly ash, and kiln dust shall be taken and analyzed in accordance with Requirement B3. (b) below at a monitoring rate of one per 2,500 tons of sludge per source, or annually, whichever is more frequent, and/or when process changes occur at the source.
 - (b) All samples shall be taken and analyzed for hazardous waste characteristics in accordance with the requirements of Code of Federal Register (CFR) 40 part 261.24 for toxicity by "Toxicity Characteristic Leachate Procedure" (TCLP), Method 1311 in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA Publication SW-846 as described in CFR 40 part 261, revised July 1, 2001, prior to receipt and processing of wastes at the facility. Records shall be kept on-site at the facility of each analysis performed and be submitted to IDEM with the next renewal application.
- B4. All surface water run-off and/or leachate originating from the facility and other designated processing areas shall be directed to its respective holding pond. All leachate shall be properly disposed of or treated either in accordance with 329 IAC 10, 329 IAC 3.1, and the facility's National Pollutant Discharge Elimination System permit. The leachate holding ponds shall be managed in an environmentally sound manner.

- B5. Wastewater treatment plant sludges, fly ash, kiln dust, bulking agents, and lime shall be confined to the designated storage, processing, loading, and unloading areas of the processing facility, specified in the original permit application approved December 5, 1991.
- B6. The following conditions apply to the composting of wastewater treatment plant (WWTP) sludges through aerobic decomposition:

- a. Compost piles shall be constructed within the following size and volume limitations found on page 20-C of the revised permit application information received on May 3, 1991:

Static Compost Pile Capacities

	50 ft. by 100 ft. Static Piles (Cubic Feet)	60 ft. By 230 ft. Static Piles (Cubic Feet)
Compost Mix	19,496	67,384
Cover Compost	8,672	23,174
New Wood Chips for Diffuser Bed	3,600	12,600
Total	31,768	103,158

- b. The temperature of each active compost pile shall reach and maintain a minimum temperature of 55° C. for a duration of at least fifteen (15) consecutive days as specified in the Blackfoot Resource Recovery Facility Management Plan revised December 2000, and submitted to IDEM on January 9, 2003.
- c. The temperature of each compost pile shall be monitored daily beginning the first day after pile construction and continue until the pile has met the requirements of part (b) above and has been disassembled. Records shall be kept on-site at the facility for each pile for the duration of the permit and shall include the pile number, date of pile construction, temperature readings, and the date and time of each temperature reading.
- d. Active compost piles shall be aerated to minimize odors, promote decomposition of WWTP sludges and to prevent excessive temperatures, which could adversely affect the composting process. IDEM recommends that pile temperature not be allowed to exceed 80°C.
- B7. The Windrow Turning Composting Process shall be done in accordance with the Blackfoot Resource Recovery Facility Management Plan revised December 2000, and submitted to IDEM on January 9, 2003.

- B8. The alkaline sludge stabilization process described in the Blackfoot Resource Recovery Facility Management Plan revised December 2000, and submitted to IDEM on January 9, 2003, shall be followed including:
- a. The pH of each batch of WWTP sludge and alkaline agent(s) shall be raised to a minimum pH of 12 and maintained at that level for a minimum of two (2) hours. After this two (2) hour period, the pH of the pile will be maintained above 11.5 for the next twenty-two (22) hours.
 - b. The temperature of each batch shall be monitored and recorded as soon as it is in place for stabilization. The temperature of the batch must be maintained above 70°C (158°F) at a minimum pH of 12 for at least thirty (30) minutes.
 - c. After each batch has achieved the above level of processing, the material shall be placed in windrows and air dried through intermittent turning. The pH of each windrow shall be monitored and recorded at the beginning and end of each operating day. Records shall be kept on-site of each batch and windrow to include number, temperature and pH readings, and the date and time of each temperature and pH reading.
- B9. WWTP sludges, fly ash, kiln dust, and compost mix spills shall be scraped and cleaned by the end of each operating day.
- B10. Any wastes received at the facility which are characterized as unacceptable for processing shall be disposed of in a landfill properly permitted to receive such waste materials.
- B11. The facility shall be operated and maintained to avoid creating a public nuisance including, but not limited to, blowing materials (compost, fly ash and kiln dust), vectors, litter, odors, and fire.

C. CLOSURE/POST-CLOSURE REQUIREMENTS

- C1. The permittee shall perform closure and post-closure monitoring and maintenance in accordance with the applicable requirements of 329 IAC 11-16 and with the facility closure and post-closure plan updated, January 3, 2003, and received by IDEM on January 9, 2003, with the Response to Request for Additional Information and applicable requirements of this letter.
- C2. The permittee shall notify IDEM in writing at least fifteen (15) days prior to the intended date to begin closure.
- C3. The permittee shall notify IDEM when the facility closes. The final closure of the facility shall be initiated within seventy-two (72) hours after having received and processed the final volume of waste. The following closure activities shall be performed at the facility during the final closure:
- a. Notification of all affected parties that the facility closed. A sign and reference of

the nearest landfill or other processing facility may be established at the site.

- b. Removal of all solid waste left or stored at the facility. The waste must be properly disposed of at a permitted facility. Removal of all storage containers and recyclable materials.
 - c. Clean the sludge storage building, mixing area, screening area, tipping area, and other waste storage areas so they are free of waste and contaminated liquid.
 - d. Removal of wastewater holding tanks if applicable. The wastewater must be pumped out and properly disposed of in accordance with local, state, and federal statutes and rules.
 - e. Clean-up of septic tank if applicable.
 - f. Clean-up of sediment pond wherever applicable. Dredging of sediments may be necessary.
- C4. Waste that contains any significant putrescible component, or any other waste that may create pollution conditions, shall be removed from the facility within two (2) days of initiation of the facility final closure. All other closure activities shall be completed within ninety (90) days of initiation of the final closure activities.
- C5. The permittee shall submit to IDEM within thirty (30) days of closure a certification signed by the permittee which specifically identifies the closed facility and documents that the closure was performed in accordance with the above-listed conditions. The certification shall also include the facility contact person during the post-closure care period, the person's name, address, and phone number.
- C6. The final closure will be deemed adequate unless within ninety (90) days of receipt of the certification required in Requirement C5 of this letter, IDEM issues a request for additional information for final closure, including additional action which needs to be taken and the timetable for the necessary additional action.
- C7. The permittee must close and maintain the facility during the one-year post-closure period in a way that:
- a. Minimizes the need for further maintenance;
 - b. Controls post-closure escape of contaminants to the ground surface, surface waters, ground waters or the atmosphere;
 - c. At a minimum is in compliance with all applicable requirements of this permit.
- C8. The permittee shall perform post-closure care for one year at the facility following completion of closure activities. The following duties shall be implemented after closure of the facility has been certified and deemed adequate by IDEM:

- a. Inspection of the facility semi-annually followed by a written inspection report on the condition of the facility to be submitted to IDEM within thirty (30) days of the inspection.
 - b. Maintenance of the facility surface water run-off control wherever applicable.
 - c. Maintenance of access control.
 - d. Removal of any waste that may be illegally dumped at the closed facility.
- C9. Within thirty (30) days of completion of the post-closure care requirements as specified in Requirement C8 of this letter, the permittee shall submit a certification statement signed by the permittee that the post-closure care requirements have been met. The post-closure certification will be deemed adequate unless within ninety (90) days of receipt of the certification, IDEM issues a request for additional information for post-closure, including action necessary to correct the deficiency.
- C10. Subsequent to the completion of post-closure, the owner or operator of a closed facility or the owner of real estate upon which a closed facility is located shall be responsible for immediately correcting and controlling any nuisance conditions occurring at the facility.
- C11. The permittee shall adequately fund closure and post-closure of the facility. Until final closure of the facility is certified, the permittee must annually review and submit to IDEM the updated financial closure and post-closure estimate no later than June 15 of each year. As a part of the annual review, the permittee must revise the closure and post-closure estimates as listed in 329 IAC 10-39-2(c)(1)(A) and (B) and/or for any changes in the facility plans that may increase the cost of closure or post-closure.
- C12. The permittee shall maintain financial responsibility of closure and post-closure similar to that provided for in 329 IAC 10-39. The sum used for funding of the closure and post-closure of the facility shall be one hundred eight thousand dollars (\$108,000), based on four thousand dollars (\$4,000) per acre or fraction of an acre and the facility acreage. The permittee may revise the cost estimates by submitting a detailed cost analysis for closure and post-closure of the facility. The revised cost estimates must be approved by IDEM prior to the implementation of any changes in the originally approved fund. However, the sum of the closure cost estimate and post-closure cost estimate shall not be less than four thousand dollars (\$4,000) per acre or a fraction of an acre covered by the permitted facility.

